

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
UNITED STATES OF AMERICA :
- v. - :
MOSHE MIRILASHVILI, :
Defendant. :
- - - - - x

SUPERSEDING
INDICTMENT

S~~2~~ 14 Cr. 810

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: JAN 28 2016

COUNT ONE
(Conspiracy to Distribute Narcotics)

The Grand Jury charges:

1. From in or about January 2012, up to and including in or about December 2014, in the Southern District of New York and elsewhere, MOSHE MIRILASHVILI, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree, together and with each other, to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MOSHE MIRILASHVILI, the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

3. The controlled substance that MOSHE MIRILASHVILI, the defendant, conspired to distribute and possess with the intent to distribute was mixtures and substances containing a

detectable amount of oxycodone, in violation of 21 U.S.C. § 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

COUNT TWO

(Distribution and Possession with the Intent to Distribute a Controlled Substance)

The Grand Jury further charges:

4. On or about January 10, 2013, in the Southern District of New York, MOSHE MIRILASHVILI, the defendant, intentionally and knowingly did distribute and possess with the intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

5. The controlled substance involved in the offense was a quantity of mixtures and substances containing a detectable amount of oxycodone, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(C).

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and Title 18, United States Code, Section 2.)

COUNT THREE

(Distribution and Possession with the Intent to Distribute a Controlled Substance)

The Grand Jury further charges:

6. On or about October 28, 2014, in the Southern District of New York, MOSHE MIRILASHVILI, the defendant, intentionally and knowingly did distribute and possess with the

intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

7. The controlled substance involved in the offense was a quantity of mixtures and substances containing a detectable amount of oxycodone, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(C).

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATION

8. As a result of committing the controlled substance offenses alleged in Counts One, Two and Three of this Indictment, MOSHE MIRILASHVILI, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the offenses and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses alleged in Counts One, Two and Three of this Indictment.

SUBSTITUTE ASSETS PROVISION

9. If any of the above-described forfeitable property, as a result of any act or omission of the defendant,

a. cannot be located upon the exercise of due diligence;

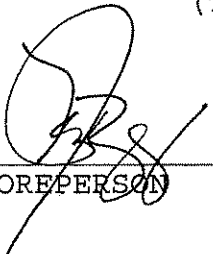
b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853)

Deputy


FOREPERSON



PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

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Defendant.

SEALED INDICTMENT

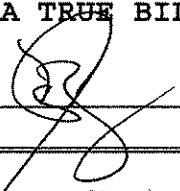
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(21 U.S.C. §§ 846, 841 and 853.)

PREET BHARARA

United States Attorney.

A TRUE BILL

Deputy  Foreperson.

1/28/16 FILED SUPERVISOR WIPKING

COTT, USMT